

### **REMARKS**

Claims 11-21 are pending in the present application.

#### **1. Restriction Requirement**

According to the Office, Restriction is required under 35 U.S.C. Sections 121 and 372 among the claims based on the following Groups:

- I) Claims 11, 12, and 21, drawn to a Litchi sinensis extract; and
- II) Claims 13-20 drawn to a method of making a Litchi sinensis extract.

According to the Office, Restriction is proper because, "The inventions listed as Groups I-II do not relate to a single inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: the claimed extract can be made in a different manner such as purifying the Litchi sinensis pericarp rather than the seeds as claimed."

In compliance with the Requirement, Applicants elect Claims 11, 12, and 21 to the extract (Group I) with traverse.

The Examiner is kindly requested to reconsider the Restriction Requirement and examine all of the claims of the present application.

A prior art search of the extract would necessarily encompass methods of making the extract. It is therefore respectfully submitted that no undue burden would be created for the Office in searching the claimed subject matter of the extract and the method of making the extract.

In view of the foregoing, it is respectfully submitted that the claims of Groups I and II encompass a single general inventive concept under PCT Rule 13.1.


Appl. No. 10/561,698  
Art Unit: 1655  
Response dated March 10, 2008  
Reply to Office action of February 12, 2008

Favorable reconsideration and an action on the merits of Claims 11-21 are respectfully solicited.

Fees

Applicant believes that no fees are due since this response is being timely filed, but the Commissioner is authorized to charge any fees deemed due (or owing) to Deposit Account No. 50-1177.

Respectfully submitted,

  
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